

MICHIGAN DOMESTIC VIOLENCE PREVENTION AND TREATMENT BOARD

MEETING MINUTES June 29, 2007

***** APPROVED September 28, 2007*****

Members Present:

Princella Graham
Honorable Amy Krause, Chair
Honorable Nathaniel C. Perry, III
Honorable Edward Sosnick

Staff Present:

Michelle Bynum
Debi Cain, Executive Director
Julie Giddings
Penny Hackett-Evans
Shelia Hankins

Sarah Heuser
Josie Jubb
Mary Lovik
Karen Porter

Guests:

Barb Domina, Sexual Assault Program of Child and Family Services, Saginaw
MaryLynn Falbe, Domestic Assault Shelter Coalition, Three Rivers
Bill Gregory, Little Traverse Bay Band of Odawa Indians
Kathy Hagenian, MCADSV
Melissa Limon, MCADSV Resource Center
Emma Peterson, YWCA/Interim House Metro Detroit
Tom Robertson, PAAM
Jody Smith, RAVE, St. Johns

Welcome and Introductions

Chair A. Krause convened the June 29, 2007 Michigan Domestic Violence Prevention and Treatment Board (MDVPTB) meeting at the DHS, Grand Tower Building in Lansing, MI, at Lansing, MI, at 10:15 a.m. Introductions were made and a welcome extended to guests.

CHAIR'S REPORT

A. Krause reported that the Legislative Reception held in April went very well. She thanked staff and board members for their hard work and dedication in making it a success.

While awaiting a quorum, the agenda was rearranged.

PUBLIC COMMENT:

Guest Bill Gregory from Little Traverse Bay Bands of Odawa Indians (LTBB) of Harbor Springs gave a presentation to the Board. LTBB received a grant from the Office on Violence Against Women of the Department of Justice, STOP Violence Against Indian Women Discretionary Grants Program. This system will assist Michigan Indian governments in developing and strengthening tribal justice systems' responses to violent crimes committed against Indian women; support the development of strategies, along with, creation and enhancement of innovative approaches to provide services to Indian women who are victims of violent crimes; and strengthen law enforcement and prosecution efforts, where they exist. This will create a simple and convenient way for petitioners to file a PPO and review details, updates, or changes and provide a mechanism for all criminal justice agencies to have access to the same information, especially across different jurisdictions. Board members commended Bill Gregory and the LTBB for their work on this exciting project.

EXECUTIVE DIRECTOR'S REPORT – GENERAL OVERVIEW OF WORK TO DATE

D. Cain reported that MDVPTB has been collaborating with Habitat for Humanity to provide homes for domestic violence survivors who are leaving transitional supportive housing programs and moving into permanent housing provided by Habitat. Five communities are currently piloting this important project.

BOARD CONSENT

Review of agenda; approval of March 23, 2007 Board meeting minutes.

MOTION: Moved by P. Graham to approve the June 29, 2007 agenda and to approve the March 23, 2007 meeting minutes. Seconded by N. Perry. Motion carried.

MONITORING TO ASSURE ORGANIZATIONAL PERFORMANCE

The Governance Process and Policy Review

Executive Limitations:

Asset Protection; Financial Condition; and Emergency Executive Director Succession

The Board reviewed and approved D. Cain's Asset Protection, Financial Condition, and Emergency Executive Director Succession reports.

MOTION: Moved by E. Sosnick to accept the Asset Protection; Financial Condition; and Emergency Executive Director Succession. Seconded by N. Perry. Motion carried.

Governance Process:

Board Member's Code of Conduct

Board-Staff Relationship:

Executive Director Role; Delegation to the Executive Director; Executive Director Job Description; and Monitoring Executive Performance

The Board reviewed the policies. No motion required.

EXECUTIVE DIRECTOR'S REPORT – GENERAL OVERVIEW OF WORK TO DATE Cont'd

D. Cain wanted to thank Chair A. Krause for buying lunch for Board, staff and guests for today's meeting.

D. Cain passed out information regarding financial updates. There are large amounts being cut for fiscal year 08. D. Cain had 3 conference calls to let programs call in with questions/concerns regarding cuts. Dollar amounts may seem small but these are a huge cut to services. MCADSV is looking to legislators for help with the gap in dollars. K. Hagenian would like to thank the board staff and D. Cain for all their help, effort and dedication to end domestic and sexual violence; the board has creative and amazing staff.

D. Cain referenced her letter to Director Buchanan of OVW regarding interpretation of the VAWA 05 confidentiality provisions and direction for MDVPTB.

D. Cain reported that DHS has asked us to be the pilot for e-grams. Although there have been some problems, programs have been patient and contract staff has been creative, tenacious, persistent and done a remarkable job.

MDVPTB received an adverse opinion from the State Auditor General's office regarding the STOP audit of 10/1/04 to 9/30/06. The Office on Violence Against Women/Department of Justice has indicated that they disagree with Michigan auditors finding and will not ask that the questioned costs be repaid.

Legislative Review

M. Lovik reported that Chair A. Krause will be a recipient of the Champion of Justice Award from the State Bar and will receive this award September 26, 2007. Congratulations Amy!!

M. Lovik reported on HB4551, 4552, 4742, 4743, and 4741, which would amend certain animal cruelty statutes in the Penal Code and related sentencing guidelines (MCL 750.50, 750.50b, 777.16b), and provide specific protection for animals in the domestic relationship PPO statute (MCL 600.2950).

The Board voted to support these bills and adopt a general principle regarding animal cruelty as a tactic of domestic abuse.

MOTION: Moved by N. Perry to support HB4551, HB4552, HB4742, HB4743, HB4741 and the following Guiding Principle:

Because domestic violence perpetrators commonly exercise control over their intimate partners by abusing or threatening to abuse their partners' animals, the MDVPTB generally supports measures that hold perpetrators accountable for this tactic, including criminal sanctions that take into account the context in which the animal abuse occurred. Such measures should be carefully crafted to ensure that:

- **Survivors of domestic violence are not penalized if animals are killed or injured as a result of efforts or strategies to protect humans from harm at the hands of the perpetrator; and**

- **sanctions are proportionate with those imposed for similar crimes against humans.**

Seconded by P. Graham. Motion carried.

M.Lovik reported on SB34, which would eliminate the MCL 771.14(1) requirement that a probation officer prepare a pre-sentence investigation report for persons being sentenced for felony nonpayment of child or spousal support (MCL 750.165).

MOTION: Moved by N. Perry to oppose bill SB34. Seconded by E. Sosnick. Motion carried.

M. Lovik reported on HB4140, which would amend the Child Custody Act, MCL 722.25. This statute currently prohibits awards of custody in two situations:

- a) If the child is conceived as a result of acts for which one of the child's biological parents is convicted of criminal sexual conduct under MCL 750.520a-750.520e and 750.520g (CSC 1-4 and assault with intent to commit CSC 1-3), the court shall not award custody to the convicted parent. Excepted from this prohibition are parents convicted under MCL 750.520d(1)(a) (CSC 3 against a person at least 13 years of age and under 16 years of age). Also, this prohibition will not apply if after the date of conviction, the biological parents cohabit and establish a mutual custodial environment for the child.
- b) If a person is convicted of criminal sexual conduct under MCL 750.520a-750.520e and 750.520g (CSC 1-4 and assault with intent to commit CSC 1-3), and the victim is the individual's child, the court shall not award the person custody of either that child or a sibling of that child. This prohibition does not apply if the child's other parent and the child (if of sufficient age) consent to custody.

HB 4140 would delete the exception for parent and child consent to custody with the CSC perpetrator described under "b" above, creating an absolute bar to an award of custody to a parent convicted of any form of CSC against his/her own child. The board requested staff to inquire why the exceptions described under "a" above were being retained under the bill.

There has been a workgroup convened on HB4466.

EXECUTIVE DIRECTOR'S REPORT – GENERAL OVERVIEW OF WORK TO DATE (Cont'd)

Staff S. Heuser and S. Hankins gave a presentation on the DHS Racial Equity Committee and specifically detailed the Institutional Assessment process piloted on child welfare cases in Saginaw.

S. Hankins gave an update from the Institute on Domestic Violence in the African American Community (IDVAAC) and on addressing domestic violence in the Detroit community and the role IDVAAC is playing. P. Graham commented on how S. Hankins has been a great help and does a great job of bringing important stakeholders to the table.

K. Hagenian reported that MCADSV has begun their Building the Safety Net Project which will focus on providing TA to domestic and sexual violence service providers in Detroit.

PROCESS EVALUATION:

A. Krause wanted to note that the 360 Feedback for D. Cain was reviewed and there were rave reviews. She also wanted to mention that Dr. Oliver Williams did a great job for our Legislative Reception. April 2007 was declared Sexual Assault month by the Governor. A. Krause wanted to thank D. Cain and staff for doing such a great job.

PUBLIC COMMENT:

None.

ADJOURNMENT

The meeting ended at 2:00 p.m.

MOTION: Moved by P. Graham to adjourn the meeting. Seconded by A. Krause. Motion carried.

Respectfully submitted,
Josie Jubb